

08/13/01
JC962 U.S. PTO

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 9022.8CT

DATE: August 13, 2001

UTILITY PATENT APPLICATION TRANSMITTAL LETTER AND FEE TRANSMITTAL FORM (37 CFR 1.53(b))

BOX PATENT APPLICATION
Commissioner for Patents
Washington, DC 20231

JC857 U.S. PTO
09/928796
08/13/01

Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is:

- ☐ a patent application
☒ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: 09/439,616; filed November 12, 1999, the disclosure of which is hereby incorporated herein by reference in its entirety.
☒ and claims the benefit of Provisional Application No. 60/108,435; filed November 13, 1998.

Inventor(s) or Application Identifier:

Margaret A. Schwarz; Fangrong Zhang; Sarah A. Gebb

Entitled:

METHODS OF FACILITATING VASCULAR GROWTH

Correspondence Address:



20792

PATENT TRADEMARK OFFICE

Enclosed are:

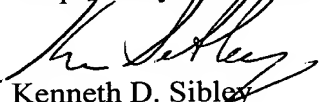
1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 28 pages of Specification (including 20 claims)
3. ☒ 11 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
 - a. ☐ newly executed (*original or copy*)
 - b. ☒ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 5 Below])
 - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☒ Incorporation By Reference (*useable if box 4b is checked*)
 The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. ☐ Microfiche Computer Program (Appendix)
8. ☒ Assignment papers (cover sheet(s) and document(s)) Filed in parent provisional application
9. ☒ Applicant claims small entity status. See 37 CFR 1.27.
10. ☒ Information Disclosure Statement, PTO-1449, and 6 references cited
11. ☒ Preliminary Amendment (Please enter all claim amendments prior to calculating the filing fee.)
12. ☐ English Translation Document
13. ☐ Certified Copy of Application No. ; Filed
14. ☐ Sequence Listing/ Sequence Listing Diskette
- a. ☐ computer readable copy
- b. ☐ paper copy
- c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
17. ☒ Other: Statement in Lieu of Filing a Sequence Listing
- The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$355.00	\$ 710.00
TOTAL CLAIMS	20 - 20 =	0	x 09 = \$	x 18 = \$
INDEP CLAIMS	5 - 3 =	2	x 40 = \$80.00	x 80 = \$
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 135 = \$	+ 270 = \$
If the difference in Col. 1 is less than zero, Enter "0" in Col. 2			Total \$ 435.00	Total \$

- ☒ A check in the amount of \$435.00 to cover the filing fee is enclosed.
- ☐ A check in the amount of \$ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$.
- ☐ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☐ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
- b. ☐ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



Kenneth D. Sibley
Registration No. 31,665

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EL920740924US

Date of Deposit: August 13, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: BOX PATENT APPLICATION, Commissioner for Patents, Washington, DC 20231.


Vickie Diane Prior

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Schwarz, et al.
Serial No.: 09/439,616
Filed: November 12, 1999
For: *METHODS OF FACILITATING VASCULAR GROWTH*

August 13, 2001

BOX PATENT APPLICATION
Commissioner for Patents
Washington, DC 20231

STATEMENT IN LIEU OF FILING A
SEQUENCE LISTING UNDER 37 CFR § 1.821(e)

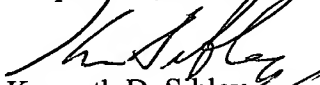
Sir:

A paper copy of the computer-readable form is of record in this case on pages 26-28 of the specification.

I hereby request that the sequence listing already on file in parent application Serial No. 09/439,616, be used in this case in lieu of filing a duplicate computer readable form herein. I hereby state that the copy of the sequence listing in this application is identical to the computer readable form filed in said previous application, and that no new matter is added.

If there are any further requirements necessary to comply with the Sequence Listing rules in this case, please contact Applicants' undersigned representative at your earliest convenience.

Respectfully submitted,


Kenneth D. Sibley
Attorney for Applicant
Registration No. 31,665



20792

PATENT TRADEMARK OFFICE

Page 2

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EL920740924US

Date of Deposit: August 13, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: BOX PATENT APPLICATION, Commissioner for Patents, Washington, DC 20231.

Vickie Diane Prior
Vickie Diane Prior

Vickie Diane Prior

In re: Schwarz et al.
Serial No.: To Be Assigned
Filed: Concurrently Herewith
Page 2

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EL920740924US

Date of Deposit: August 13, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: BOX PATENT APPLICATION, Commissioner for Patents, Washington, DC 20231.

Vickie Diane Prior
Vickie Diane Prior